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EXPRESS MAIL NO. EM555262424US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Donald D. MONTGOMERY

Application No. 09/003,075

Filed: January 5, 1998

For: **ELECTROCHEMICAL SOLID  
PHASE SYNTHESIS**

Art Unit: 1763

Examiner: Unassigned

Attorney's Docket No: 01665.0004.999

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

**BOX: MISSING PART**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the **Notice to File Missing Parts of Application--Filing Date  
Granted** dated April 3, 1998, Applicant(s) submits the following documents for appropriate  
action by the U.S. Patent and Trademark Office:

- ☒ Copy of the Notice to File Missing Parts (PTO-1533);
- ☒ Original Declaration, executed by the inventor(s);
- ☒ Small Entity Status form;
- ☒ Return postcard; and
- ☒ Our check in the amount of \$65.00 to cover Surcharge for late filing of  
Declaration (37 C.F.R. §1.16)

The U.S. Patent and Trademark Office is hereby authorized to charge any fee  
deficiency, or credit any overpayment, to our Deposit Account No. 08-3038. If extensions of  
time under 37 C.F.R. §1.136 other than those otherwise provided for herewith are required to  
prevent abandonment of the present patent application, then such extensions of time are  
hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit  
Account No.08-3038. A duplicate copy of this Response is enclosed.

05/08/1998 GWASHING 00000004 083038 09003075

01 FC:205

65.00 CH

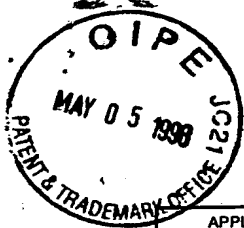
Respectfully submitted,

Date: May 5, 1998

**HOWREY & SIMON**

Void date: 05/08/1998 GWASHING 00000004 083038 09003075  
05/08/1998 GWASHING 00000004 083038 09003075  
01 FC:205 65.00 CH Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
(650) 463-8100

*for J. David Smith* Reg. No. 39,839  
Albert P. Halluin (Reg. No. 25,227)



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/003,075 01/05/98 MONTGOMERY

D 01665.0004.9

0292/0403

HOWREY & SIMON  
BOX NO 34  
1299 PENNSYLVANIA AVENUE NW  
WASHINGTON DC 20004-2402

NOT ASSIGNED

1763

DATE MAILED:

04/03/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a small entity (statement filed) ☒ non-small entity is \$ 130.

- ☐ 1. The statutory basic filing fee is:  
☐ missing.  
☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:  
☒ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

05/08/1998 00500003 01003075  
01 FC 205- The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 4. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).  
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.  
☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

MISSING PARTS  
4/3/98  
4/3/98